



Receipt #

Docket No.: 02807-034

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Katsunori NISHIMURA, et al. :  
Serial No.: 10/078,534 : Group Art Unit: 1745  
Filed: February 21, 2002 : Examiner:  
For: ELECTRODE FOR POLYMER ELECTROLYTE FUEL CELL, SEPARATOR  
THEREFOR, AND POLYMER ELECTROLYTE FUEL CELL AND GENERATING  
SYSTEM USING THEM

**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice of Missing Parts of Application dated March 11, 2002,  
submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Assignment Document
3. Request for Corrected Official Filing Receipt
4. Statutory Basic filing fee of \$740.00
5. Additional Claim Fee of \$532.00
6. Late Filing Fee Surcharge of \$130.00



20277

PATENT TRADEMARK OFFICE

10/078,534

Please charge Deposit Account No. 500417 in the amount of \$1,402.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Keith E. George  
Registration No. 34,111

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202)756-8000 KEG:kjw  
Facsimile: (202)756-8087  
**Date: May 9, 2002**



MAY 09 2002  
PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/078,534	02/21/2002	Katsunori Nishimura	62807-034

20277  
MCDERMOTT WILL & EMERY  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

CONFIRMATION NO. 3061

FORMALITIES LETTER



\*OC00000007612805\*

Date Mailed: 03/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/13/2002 BABRAHA1 00000106 500417 10078534 FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 CH  
02 FC:105 130.00 CH  
03 FC:102 252.00 CH  
04 FC:104 280.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$448.  
~~\$252.00 for 3~~ ■ \$108 for 2 independent claims over 3 .  
■ \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1318.

05/17/2002 HMOHAMM1 00000014 500417 10078534 ~~\$ 1402.00~~

01 FC:102 168.00 CH

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 05/17/2  
05/13/2002 BABRAHA1 0000... 10078534  
03 FC:102 252.00

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MAY 09 2002  
U.S. PATENT & TRADEMARK OFFICE

Docket No.: 62807-034

PATENT

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In re Application of :  
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Serial No.: 10/078,534 : Group Art Unit: 1745  
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For: ELECTRODE FOR POLYMER ELECTROLYTE FUEL CELL, SEPARATOR  
THEREFOR, AND POLYMER ELECTROLYTE FUEL CELL AND GENERATING  
SYSTEM USING THEM

**REQUEST FOR CORRECTED FILING RECEIPT**

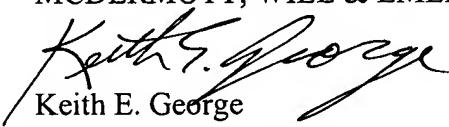
Commissioner for Patents  
Washington, DC 20231

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the number of independent claims are incorrect on the official filing receipt. Please correct the number of independent claims to reflect: 6. It is requested that a corrected filing receipt be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Keith E. George  
Registration No. 34,111

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600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202)756-8000 KEG:kjw  
Facsimile: (202)756-8087  
Date: May 9, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/078,534	02/21/2002	1745	0.00	62807-034	11	13	5/6

CONFIRMATION NO. 3061

20277  
MCDERMOTT WILL & EMERY  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

**FILING RECEIPT**



\*OC000000007612804\*

Date Mailed: 03/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Katsunori.Nishimura, Residence Not Provided;  
Masahiro Komachiya, Residence Not Provided;  
Jinichi.Imahashi, Residence Not Provided;  
Tohru Koyama, Residence Not Provided;  
Tomoichi Kamo, Residence Not Provided;

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

JAPAN 2001-333605 10/31/2001

R E C E I V E D  
MAR 14 2002

MW&E

If Required, Foreign Filing License Granted 03/11/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**Title**

Electrode for polymer electrolyte fuel cell, separator therefor, and polymer electrolyte fuel cell and generating system using them

**Preliminary Class**

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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